

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 3, 1994
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:05 p.m. Mayor Golding adjourned the meeting at 5:10 p.m. to meet in Closed Session on Tuesday, January 4, 1994, at 9:30 a.m., in the 12th floor Conference Room to discuss pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour/Fishkin (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present

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- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Robert Bushman, Director, Teen Challenge of San Diego County.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Joseph Cuseo regarding having a non-violence day.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A052-075.)

ITEM-PC-2:

Comments by Don Stillwell regarding secret police/secret government.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A076-105.)

ITEM-PC-3:

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Comments by Jim Tapscott and Mark Borger regarding illegal activities in Balboa Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A106-136.)

ITEM-PC-4:

Comments by Al Strohlein regarding environmental concerns near Seaworld.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A155-190.)

ITEM-PC-5:

Comments by Catherine Strohlein regarding car theft into Mexico.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A195-289.)

COUNCIL COMMENT:

None.

ITEM-30: PRESENTATION

Presentation by Mayor Golding of the James C. Howland Urban Enrichment Award to the Rancho Bernardo Retired Senior Volunteer Patrol.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A300-400.)

ITEM-31:

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SUBJECT: Dr. Kary B. Mullis Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-943) ADOPTED AS RESOLUTION R-283186

Recognizing Dr. Kary B. Mullis' contributions to science and his recent honor as recipient of the Nobel Prize;

Proclaiming January 3, 1994 to be "Dr. Kary B. Mullis Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A402-491.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-50:

SUBJECT: Regulation of Public Pay Telephones.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was re-introduced on 11/29/93 due to substantive amendments. (Council voted 7-0. Districts 1 and 5 not present):

(O-94-27 Rev. 4 Cor. Copy) ADOPTED AS AMENDED AS
ORDINANCE O-18019(New Series)

Amending Chapter V, Article 4, of the San Diego Municipal Code by adding Division 5, Sections 54.0501, 54.0502, 54.0503, 54.0504, 54.0505, 54.0506, 54.0507, relating to the Regulation of Public Pay Telephones.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B120-232.)

Motion by McCarty to remove the business license tax for pay

telephone operators. No second.

MOTION BY ROBERTS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE AS AMENDED, AMENDING LANGUAGE TO SECTION 54.0501(d) TO CITE: "THAT IF THE SAN DIEGO POLICE DEPARTMENT OPPOSES A PAY TELEPHONE INSTALLATION WITHIN A HIGH CRIME AREA OR REDEVELOPMENT PROJECT AREA, THE CHIEF OF POLICE SHALL NOTIFY THE PUBLIC PAY TELEPHONE OWNER" AND TO DELETE THE REFERENCE, AT THAT POINT, TO THE COMMUNITY PLANNING GROUP. STAFF IS DIRECTED TO MAKE CORRECTIONS TO PAGES OF THE ORDINANCE WHERE JANUARY 4, 1994 IS INDICATED TO REFLECT JANUARY 3, 1994. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51:

SUBJECT: An amendment to the Mission Valley Planned District Ordinance, and a rezone for the Rio Vista West Project. (Case-92-0586. Mission Valley Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION: Adopt the following ordinances which were introduced on 12/7/93 (Council voted 8-0. Mayor not present):

Subitem-A: (O-94-51) ADOPTED AS ORDINANCE O-18020 (New Series)

Rezoning 8.19 acres at the Rio Vista West Site, located south of Friars Road on the west side of Stadium Way, into MV-M/SP (Mission Valley Multiple Use/Specific Plan) Zone.

Subitem-B: (O-94-52) ADOPTED AS ORDINANCE O-18021 (New Series)

Amending Chapter X, Article 3, Division 21, of the San Diego Municipal Code, by amending Section 103.2102 and by replacing Appendix B, Figures 5 and 6, relating to the Mission Valley Planned District.

FILE LOCATION: SUBITEM-A: LAND-FSDRIP Specific Plan;
SUBITEM-B: LAND-Mission Valley Planned District

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: Approval of a Marina Planned District Ordinance
Amendment for The Brickyard.

(Centre City Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on
12/7/93.(Council voted 8-0. Mayor not present):

(O-94-49) ADOPTED AS ORDINANCE O-18022 (New Series)

Amending Chapter X, Article 3, Division 20, of the San Diego Municipal Code by amending Section 103.2011, relating to the Marina Planned District Ordinance, to allow a land use mix of 60 percent residential to 40 percent commercial at the southwest corner of India and "G" Streets.

FILE LOCATION: LAND-Marina Planned District

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Miramar Ranch North Community Facilities District No.
1.

(District-5.)

CITY COUNCIL'S RECOMMENDATION:

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Adopt the following ordinance which was introduced on
11/30/93

(Council voted 8-0. District 1 not present):

(O-94-50) ADOPTED AS ORDINANCE O-18023 (New Series)

Authorizing levy of Special Taxes as amended and repealing
Ordinance No. O-17588.

FILE LOCATION: STRT CF-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND
ADOPT ORDINANCE. Second by Vargas. Passed by the following
vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea,
Warden-ineligible, Stallings-yea, McCarty-yea, Vargas-yea,
Mayor Golding-yea.

* ITEM-54:

SUBJECT: Five actions related to Park Dedications.

(Districts-1,4,5 & 7.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-94-216) INTRODUCED, TO BE ADOPTED JANUARY
18, 1994

Setting aside and dedicating approximately 42.12 acres of
Soledad Natural Park, in the City of San Diego, for a public
park.

Subitem-B: (O-94-214) INTRODUCED, TO BE ADOPTED JANUARY
18, 1994

Setting aside and dedicating approximately 49.77 acres of
Carmel Valley/Overlook Park, in the City of San Diego, for a
public park.

Subitem-C: (O-94-219) INTRODUCED, TO BE ADOPTED JANUARY
18, 1994

Setting aside and dedicating approximately 27.18 acres of Paradise Canyon, in the City of San Diego, for a public park.

Subitem-D: (O-94-220) INTRODUCED, TO BE ADOPTED JANUARY 18, 1994

Setting aside and dedicating approximately 209.43 acres of Sabre Springs, in the City of San Diego, for a public park.

Subitem-E: (O-94-221) INTRODUCED, TO BE ADOPTED JANUARY 18, 1994

Setting aside and dedicating approximately 3.81 acres of Navajo Canyon Open Space Park, in the City of San Diego, for a public park.

CITY MANAGER SUPPORTING INFORMATION:

The Park and Recreation Director has requested that the following parcels be dedicated as park land to be used for open space purposes. These parcels are further described under Exhibits A through D, respectively. This action is part of an ongoing project to dedicate various City-owned parcels in accordance with Charter Section 55 and Council Policy 700-17. The Park and Recreation Board and its area committees have reviewed and approve these dedications:

- A) District 1 Carmel Valley/Overlook Park, 49.77 acres
Soledad Natural Park, 42.12 acres
- B) District 4 Paradise Canyon, 27.18 acres
- C) District 5 Sabre Springs, 209.43 acres
- D) District 7 Navajo Canyon Open Space Park 3.81 acres

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO INTRODUCE ORDINANCES. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-100:

SUBJECT: Awarding a Contract for Payment of Landfill Fees for Disposal of Rags from Barscreens at Pump Stations.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-687) ADOPTED AS RESOLUTION R-283187

Accepting the offer of the County of San Diego, Department of Public Works, and awarding a contract for payment of landfill fees for disposal at Otay Landfill of rags and other material removed from barscreens at pump stations, as may be required for a period of one year beginning December 1, 1993 through November 30, 1994, for a total estimated cost of \$152,000, with options to renew the contract for four additional one year periods, at pricing shown on the San Diego County Landfill Fee Schedule. (BID-4118/94)

FILE LOCATION: CONT-PURCHASE-County of San Diego,
Department of Public Works CONT FY94-1

COUNCIL ACTION: (Tape location: E164-184.)

MOTION BY ROBERTS TO ADOPT. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding Contracts for Hardware and Fasteners.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-689) ADOPTED AS RESOLUTION R-283188

Awarding contracts to Aztec Bolt & Nut for Sections I, II, and IV, and Ace Maintenance Mart for Section III, for the purchase of hardware and fasteners, as may be required for a period of one year beginning January 1, 1994 through December 31, 1994, for an estimated cost of \$38,907, including tax and terms; Declaring that in the event the vendors do not perform to specifications the Purchasing Agent is authorized to terminate the contract and award to the next low responsible bidder and to subsequent bidders,

if necessary, until a bidder is found who performs to specifications. (BID-I4008/94)

FILE LOCATION: CONT-PURCHASE-Aztec Bolt & Nut, Ace
Maintenance Mart CONT FY94-2

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Awarding a Contract for Lease of One Heavy Duty
Landfill Compactor.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-688) ADOPTED AS RESOLUTION R-283189

Awarding a contract to Hawthorne Machinery Company for
furnishing one heavy duty landfill compactor, as may be
required for a period of one year beginning January 1, 1994
through December 31, 1994, for an estimated cost of
\$119,818, including tax, with options to lease an additional
compactor at any time during the contract period and an
option to renew the contract for four additional one year
periods. (BID-B4056/94)

FILE LOCATION: CONT-PURCHASE-Hawthorne Machinery Company
CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Awarding a Contract for Maintenance Service of Electric Stairways located at San Diego Jack Murphy Stadium.

(District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-686) ADOPTED AS RESOLUTION R-283190

Awarding a contract to Montgomery Elevator Company for furnishing maintenance service for eight electric stairways located at San Diego Jack Murphy Stadium, as may be required for a period of one year beginning December 1, 1993 through November 30, 1994, for a total estimated cost of \$58,740, including terms. (BID-F4077/94)

FILE LOCATION: CONT-PURCHASE-Montgomery Elevator Company
CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Inviting Bids for the Chlorine Contact Tanks and Effluent Pump Station Substructure for the North City Water Reclamation Plant.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-639) ADOPTED AS RESOLUTION R-283191

Inviting bids for the North City Water Reclamation Plant Chlorine Contact Tanks and Effluent Pump Station Substructure on Work Order No. 194572; Authorizing a contract with the lowest responsible bidder; Authorizing the expenditure of funds not to exceed \$4,954,090 from Clean

Water Sewer Revenue Fund 41509, CIP-42-910.1, for providing funds for the project and related costs, provided that the City Auditor first furnishes a certificate demonstrating the funds necessary for each such expenditure are or will be on deposit in the City Treasury. Funds are available due to reimbursement of past costs from issuance of bonds. Stating for the record that the previously certified Environmental Impact Report DEP-91-0516 for the North City Water Reclamation Plant was reviewed and considered by the Council. (BID-K94100)

CITY MANAGER SUPPORTING INFORMATION:

The Chlorine Contact Tanks and Effluent Pump Station Substructure is the sixth of several construction contracts for the North City Water Reclamation Plant (NCWRP). The contract packaging for the Chlorine Contact Tanks and Effluent Pump Station Substructure have been completed. Mitigation measures related to this action have been incorporated into each package. At this time approval is requested to advertise for bids and award the contract for this package. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. The construction cost for this package currently is estimated as follows: Chlorine Contact Tanks and Effluent Pump Station Substructure = \$4,954,090. The total number of local jobs created by this contract is approximately 99.

WU-CWP-94-054.

FILE LOCATION: W.O. 194572 CONT-Hunter Corporation CONT
FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Inviting bids for the Construction of Twin Trails Park

-Additional Improvements. (Rancho Penasquitos Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-723) ADOPTED AS RESOLUTION R-283192

Inviting bids for the Construction of Twin Trails Park -

Additional Improvements on Work Order No. 119937;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$107,000 from CIP-29-768.0, Twin Trails Neighborhood Park - Requirements, Special Park Fee Fund No. 39085 for providing funds for said project and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94076)

CITY MANAGER SUPPORTING INFORMATION:

Twin Trails Park is a 6.7 acre park located on Twin Trails Drive, south of Carmel Mountain Road. The park was constructed in 1978 and improved with lighting and walks in 1980 and 1983 respectively. This project will construct a sand volleyball court, fencing, concrete mow curb, picnic facilities, irrigation system and landscaping additions.

Aud. Cert. 9400482.

FILE LOCATION: W.O. 119937 CONT - Edward A. Zasqueta
Contracting Co. CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: CONTINUED TO JANUARY 10, 1994

SUBJECT: Two actions related to Inviting Bids for Cabrillo Heights Neighborhood Park Ballfield Lighting and Southcrest Community Park Ballfield Lighting. (Serra Mesa and Southeast San Diego Community Areas. Districts-6 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-724)

Inviting bids for the Construction of Various Sportsfield and Security Lighting Projects on Work Order Nos. 119646 and 119649;

Authorizing a contract with the lowest responsible bidder;

Authorizing the expenditure of \$90,500 from CIP-29-752.0, Cabrillo Heights Neighborhood Park Ballfield Lighting CDBG Fund No. 18526/5893, and \$86,200 from CIP-29-747.0, Southcrest Community Park Ballfield Lighting CDBG Fund No. 18526/5893 for providing funds for said project and related costs;

Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94078)

Subitem-B: (R-94-725)

Certifying that the information contained in Negative Declaration, DEP-90-0019BG, dated November 5, 1991, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Cabrillo Heights Neighborhood Park is located at 8303 Hurlbut Street between Kearny Villa Road and Afton Road. Southcrest Community Park is located at 4199 Keeler Avenue between Alpha Street and Newton Avenue. The proposed projects will provide softball field and multi-sport field lighting at Cabrillo Heights Park and softball field and security lighting at Southcrest Park.

Aud. Cert. 9400586.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A502-515; B072-120.)

CONSENT MOTION BY STALLINGS TO CONTINUE THE ITEM TO JANUARY 10, 1994, AS REQUESTED BY THE CITY MANAGER, TO ASSURE PROPER NOTICING. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Approving Parcel Map W.O. 920212.

(Located between I-5 and El Camino Real, south of High Bluff Drive. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-840) ADOPTED AS RESOLUTION R-283193

Approving Parcel Map W.O. 920212.

FILE LOCATION: SUBD-Employment Center Development Unit 2C,
Lot 29, por.

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Proclaiming 12/23/93 as "Paul F. Mosher Day" in San Diego.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-942) ADOPTED AS RESOLUTION R-283194

Proclaiming December 23, 1993 as "Paul F. Mosher Day" in San

Diego and commending him for his leadership and contributions to the City of San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Household Hazardous Waste Non-Discretionary Grant Application.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-901) ADOPTED AS RESOLUTION R-283195

Amending Resolution R-282593 to designate the Deputy Waste Management Director, Services Division, as the authorized position to sign the Household Hazardous Waste Non-Discretionary Grant application and subsequent related documents.

CITY MANAGER SUPPORTING INFORMATION:

As its September 13, 1993 meeting, Council approved Resolution R-282593 authorizing the City Manager to submit a non-discretionary reimbursement grant for household hazardous waste program activities. Legislation passed October 7, 1993 affecting this grant. The application deadline was changed from September 1993 to December 17, 1993, and the application must include a resolution that designates an authorized person by position to sign the grant related documents.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Operation of the HBJ Building Parking Garage.
(District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-868) ADOPTED AS RESOLUTION R-283196

Authorizing a First Amendment to the Operating Contract with Ace Parking Management, Inc., to allow Ace Parking to operate the HBJ Building Parking Garage, located at the southeast corner of Fifth Avenue and "A" Street, for the remaining term of the contract.

CITY MANAGER SUPPORTING INFORMATION:

The HBJ Building includes an adjacent seven-story parking garage with spaces for 265 cars. Like the Concourse parkade, the HBJ Garage will be open to City employees and the general public. City staff proposes that Ace Parking's contract for operation of the Concourse Parkade be amended to allow Ace to operate the HBJ Garage for the remaining one-year term of the contract. A Request for Proposals was not issued for the HBJ Garage due to time constraints and to ensure uniformity of equipment and operations between the HBJ Garage and the Concourse Parkade. An RFP will be issued next summer for a new contract for both garages. The proposed amendment requires Ace Parking to purchase and install new parking control equipment in the HBJ Garage at an estimated cost of \$41,268. The City will reimburse Ace for the equipment cost as well as City-approved operating expenses and a \$250 monthly management fee. The City will receive all parking revenues from the HBJ Garage and make reimbursements to Ace solely from those funds. Repairs and new equipment installation should be completed by early December, at which time the HBJ Garage will open for business. Ace has been authorized to purchase the parking equipment and will operate the HBJ Garage under a temporary contract until Council action on the amendment to the Concourse Parkade contract.

FILE LOCATION: LEAS-Ace Parking Management, Inc. LEAS
FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111:

SUBJECT: Agreement with American Psychmanagement of California,
Inc., to provide mental health care/chemical dependency
services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-421) ADOPTED AS RESOLUTION R-283197

Authorizing an agreement with American Psych-management of
California, Inc., to provide mental health care/chemical
dependency services to members of the Citymed/Blue Cross
Health Plan, for a one-year period beginning August 1, 1993
through July 31, 1994; Authorizing the expenditure of not to
exceed \$270,234 from Fund 60020, Account No. 9544, for
providing funds for said agreement.

CITY MANAGER SUPPORTING INFORMATION:

In FY 1992, A. Foster Higgins, the City's benefits consultant,
conducted a study to carve out mental health/chemical dependency
benefits from the City's health plan. It was determined that a
pilot program would be implemented for the Citymed Health Plan
utilizing American Psych management of California, Inc., (APM),
the same managed care provider offered through the Health Net
Health Plan, due to the existing contractual arrangement with
Health Net. APM was continued as the provider for mental
health/chemical dependency services for the Citymed/Blue Cross
Plans negotiated through the meet and
confer process. Aud. Cert. 9400284.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112:

SUBJECT: Sixth Amendment to the Agreement with American Family
Life Assurance Company for a Cancer/Intensive Care
Insurance Plan.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-510) ADOPTED AS RESOLUTION R-283198

Authorizing the execution of a sixth amendment to the
agreement with American Family Life Assurance Company for a
group cancer and hospital intensive care insurance plan, for
a period of one-year beginning August 1, 1993 through July
31, 1994; Authorizing the expenditure of not to exceed
\$225,903 from Fund 60076, Account 9544, for this purpose.

CITY MANAGER SUPPORTING INFORMATION:

Cancer expense and hospital intensive care protection insurance
plans have been offered as an option in the City's benefits plans
since FY 1988. A market search was conducted by the City's
benefits consultant, A. Foster Higgins, in February 1992 and the
American Family Life Assurance Company(AFLAC) was selected.
AFLAC was retained because other companies were either
unresponsive to the RFP or did not duplicate the current plan
design. The plans offered by AFLAC provide payments to an ill
employee or on behalf of an ill family member for cancer,
selected dread diseases and intensive care hospitalization.
There has been no change in rates or benefits from last year.
Aud. Cert. 9400346.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Amendment No. 6 to the Agreement with
Engineering-Science, Inc., for State Ocean Plan
Compliance at the Point Loma Wastewater Treatment
Plant.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-912) ADOPTED AS RESOLUTION R-283199

Authorizing the execution of an amendment to the agreement with Engineering-Science, Inc., for professional services to achieve compliance with the California State Ocean Plan and to achieve safe operation of the Point Loma Wastewater Treatment Plant Outfall Extension; Authorizing the expenditure of not to exceed \$213,404 from the Clean Water Program Sewer Fund No. 41509, CIP-40-911.5, State Ocean Plan Compliance Facilities.

CITY MANAGER SUPPORTING INFORMATION:

The existing design contract with Engineering-Science, Inc. was approved to achieve compliance with the State Ocean Plan. The State Ocean Plan Compliance Project is a Consent Decree project that requires completion by August 26, 1994. Through the original agreement and subsequent amendments, funds were expended for design services to perform disinfection pilot studies, design of the short-term disinfection project, planning studies for the outfall extension, feasibility study to replace the existing Point Loma Ocean Outfall with a tunnel outfall and services during construction and start-up. At this time, the Clean Water Program is requesting the expenditure of funds for additional design services to perform risk assessment for outfall extension operation without the Southeast Effluent Outfall Connection (SEOC) facility, construction contractor proposal review services, National Pollution Discharge and Eliminator System (NPDES) Permit processing, and outfall pressure monitoring services. The MBE/WBE participation goals for this agreement are 12 percent MBE and 3 percent WBE. Scope of work for this amendment does not allow for an increase in MBE/WBE participation. The agreement to-date including Amendment No. 6 will provide 3.4 percent MBE and 2.4 percent WBE participation. The number of local jobs to be supported by this contract amendment is 5.

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Aud. Cert. 9400582.

WU-CWP-94-051.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

*** ITEM-114:**

SUBJECT: Agreement with the Committee for Ecological Improvement
Activities.

(South San Diego and San Ysidro Community Areas.
District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-895) ADOPTED AS RESOLUTION R-283200

Authorizing an agreement with the Committee for Ecological
Improvement for Community Development Block Grant
("CDBG") funding for specified ecological improvement
activities; Authorizing the expenditure of an amount not to
exceed \$25,000 from Fund 18529, Dept 4041, Org. 4107, Obj.
Acct. 4279, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

The City Council approved \$25,000 for the Committee for
Ecological Improvement during the FY 94 Community Development
Block Grant (CDBG) appropriation cycle. This agreement will
provide funding for the Committee to undertake the activity of
planting trees and shrubs on public property in cooperation with
public agencies and volunteer community student and resident
participation. Specifically, these funds will purchase the
necessary trees, shrubs, and soil amendments. The public agency
will provide the subsequent maintenance of the plants. The actual
planting will be accomplished by students and residents
volunteering their labor and time. This agreement does not

include the reimbursement of any administrative or personnel costs incurred by the Committee resulting from these activities. The term of this contract is November 1, 1993 to August 1, 1994.

Aud. Cert. 9400550.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Three-Month Extension of Connecticut General Life Insurance Co. Contract.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-457) ADOPTED AS RESOLUTION R-283201

Authorizing the City Manager to extend for three months the stop loss insurance agreement with Connecticut General Life Insurance Co., for Citymed health insurance; Authorizing the expenditure of not to exceed \$28,844 from Fund 60021, Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

As of August 1, 1993, the City redesigned the Citymed health plan. Due to this redesign, Connecticut General Life Insurance Co. will no longer provide stop loss insurance for Citymed. The stop loss insurance will, however, need to be continued for three months after the FY 1993 contract date to protect the City from possible excessive costs resulting from Citymed health insurance claims made by employees and their dependents prior to August 1, 1993. The agreement continues to limit Citymed's claim exposure to \$150,000 for specific individual claims. Once the limits are reached, the stop loss insurance pays the remainder of the incurred claims.

Aud. Cert. 9400320.

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FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116:

SUBJECT: Amendment to the agreement with McCutchen, Doyle, Brown
and Enersen for additional legal services relating to
U.S.A. v. City of San Diego.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-925) ADOPTED AS RESOLUTION R-283202

Authorizing the execution of an amendment to the agreement
of February 24, 1992 with McCutchen, Doyle, Brown and
Enersen, for legal services in connection with appellate
work in the case of U.S.A. v. City of San Diego; Authorizing
the expenditure of not to exceed \$100,000 from Fund No.
40012, CIP-45-910.2, Clean Water Program Management and
Administration.

CITY MANAGER SUPPORTING INFORMATION:

On February 24, 1992 City Council authorized the retention of the
law firm of McCutchen, Doyle, Brown and Enersen to: 1) Act as
co-counsel in the second phase of the Clean Water Program
monitoring as provided in the Consent Decree entered in U.S.A. v.
City of San Diego, U.S. District Court No. 88-1101-B, and 2)
Continue the effort in Federal court to facilitate matters
relating to the establishment of the Multiple Species
Conservation Program. The City's successful July 10, 1992 motion
to implement the Consumers' Alternative has been appealed to the
Ninth Circuit Court of Appeals. The necessary appellate work on
behalf of the City is substantially beyond the scope of work
originally agreed upon by the City and McCutchen, Doyle, Brown
and Enersen. This amendment will authorize the expenditure of
additional funds to ensure continued advocacy of City interests
in this matter.

Aud. Cert. 9400597.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Amendment No. 1 to the Agreement with Metcalf and Eddy,
Inc., for the Fiesta Island Replacement
Project/Northern Sludge Processing Facility
(FIRP/NSPF).

(University City and Serra Mesa Community Areas.
District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-924) ADOPTED AS RESOLUTION R-283203

Authorizing the execution of an amendment to the agreement
of December 18, 1992, with Metcalf & Eddy, Inc., for
additional design services in connection with the Fiesta
Island Replacement Project/Northern Sludge Processing
Facility; Authorizing the expenditure of not to exceed
\$664,199 from Clean Water Program Fund No. 41509,
CIP-42-911.4, Northern Sludge Processing Facility, Phase II.

CITY MANAGER SUPPORTING INFORMATION:

The City's Clean Water Program (CWP) is currently pursuing
activities to relocate the sludge drying facilities from Fiesta
Island and to establish new regional sludge processing facilities
for the sludge produced by the Metropolitan Sewerage System and
the planned water reclamation plants. On October 21, 1991, the
City Council certified the FIRP/NSPF EIR and selected the Naval
Air Station (NAS) Miramar West site as the location for this
project. In December 1992, the City Council approved the
agreement between the City and Metcalf and Eddy, Inc. (M&E) for
providing design services for FIRP/NSPF. This request is for

approval of Amendment No. 1 to the agreement with M&E to provide modifications to and add additional engineering design services necessary to complete the 100 percent design drawings. These modifications are the result of the conceptual design review and value engineering process. These modifications include the addition of a lime stabilization system, and trucked liquid waste receiving facility, and the deletion of an overpass. The MBE/WBE participation for this contract is expected to be the same as the original agreement, 19.4% MBE and 3% WBE. Aud. Cert. 9400612. WU-CWP-94-056.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Amendment No. 13 to the Agreement with Montgomery
Watson Americas, Inc., (MWA) for Operation and
Maintenance (O&M) Support Services.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-923) ADOPTED AS RESOLUTION R-283204

Authorizing the execution of an additional amendment to the agreement of May 26, 1992 with Montgomery Watson Americas, Inc. (formerly James M. Montgomery, Inc.), for operation and maintenance support services in modification and expansion of the Metropolitan Sewerage System under the Consumers' Alternative; Authorizing the execution of not to exceed \$3,572,697 from the Clean Water Program Revenue Fund No. 41509, CIP-45-910.2, Clean Water Program Predesign and Engineering Support, to be expended as follows: \$1,301,171 from Fiscal Year 1994 appropriations; \$1,656,558 from Fiscal Year 1995 appropriations, contingent on the Council's appropriation of funds for this purpose in the FY 1995 CIP budget, and contingent on the City Auditor's certification that funds necessary for this expenditure are, or will be, on deposit in the City Treasury; \$614,968 from Fiscal Year

1996 appropriations, contingent on the Council's appropriation of funds for this purpose in the FY 1996 CIP budget, and contingent on the City Auditor's certification that funds necessary for this expenditure are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION: On March 27, 1988, City Council approved the agreement with Montgomery Watson Americas, Inc. (formerly James M. Montgomery, Consulting Engineers, Inc.) for program management services during the planning, design, construction and startup of the modifications and expansion of the Metropolitan Sewerage System. On May 26, 1992, Council approved the Consumers' Alternative, which is currently being implemented. The City has commenced construction on Consumers' Alternative projects and now requires assistance in developing the Operations and Maintenance Programs for the new facilities. Amendment No. 13 provides for Operations and Maintenance Support Services for the Consumers' Alternative facilities for a period of 29 months from October, 1993 through February, 1996. MBE and WBE participation under Amendment No. 13 are \$732,537 (20.5%) and \$170,770(4.8%), respectively. With this Amendment No. 13, approximately 8 local jobs will be created for a period of 29 months.

Aud. Cert. 9400611.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Standard Insurance Company Group Dental Agreement - 7th Amendment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-517) ADOPTED AS RESOLUTION R-283205

Authorizing a seventh amendment to the Group Dental

Agreement with Standard Insurance Company, for a one-year period beginning August 1, 1993 through July 31, 1994; Authorizing the expenditure of not to exceed \$244,778 from Fund 60083, Account 9544.

CITY MANAGER SUPPORTING INFORMATION:

The City offered the Standard Insurance Co. indemnity dental insurance plan as a part of its Flexible Benefits and Management Benefits Plans for the first time in FY 1987 (on file with the City Clerk as document RR-266300). This plan provides for employees to choose their own dentist. However, if the employee chooses a preferred provider organization dentist, service costs are at a significant discount and the plan pays a higher percentage of the dental service costs. The rates indicating the amounts paid by the City follow:

From	To	%Increase	
Employee Only	\$274	\$287	4.7%
Employee and Spouse	\$514	\$540	5.1%
Employee and Children	\$612	\$642	4.9%
Employee and Family	\$741	\$778	5.0%

Aud. Cert. 9400345.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Approving Contract Change Order No. 24 for the Construction of the Morena Boulevard Interceptor.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-911) ADOPTED AS RESOLUTION R-283206

Approving Change Order No. 24, with Chilcote, Inc. for the

construction of the Morena Boulevard Interceptor, amounting to a net increase in the contract price of \$115,000; Authorizing the expenditure of not to exceed \$115,000, consisting of \$80,000 from Gas Tax Fund 302191, Department 3220, Street Division, Job Order No. 322222, Object Account 42201; and \$35,000 from the Contingency Account 4905 of CIP-43-123.0, Morena Boulevard Interceptor, for the purpose of executing this change order and cost sharing.

CITY MANAGER SUPPORTING INFORMATION:

On August 5, 1991 by Resolutions R-278466-1 and R-278466-2, the City Council approved the plans and specifications and authorized execution of a contract for the construction of the Morena Boulevard Interceptor. The construction contract was awarded to Chilcote, Inc. on December 17, 1991. During resurfacing of the pipeline trench along Morena Boulevard, it was noted that several areas of existing pavement were in poor shape from a number of factors including roadway settlement, extensive surface cracking, and potholes. These conditions were unrelated and pre-existing prior to the start of the pipeline construction. To remedy this situation and give the citizens a better product, the substandard pavement was removed and replaced with a standard road section. Morena Boulevard was then overlaid with asphalt concrete pavement in order to provide for better drainage, smoother traffic transitions and longer road life. Construction Change Order No.24 is for the contractor's costs for paving areas of Morena Boulevard that were outside of the contract requirements. This Change Order is for \$115,000. The City's Street Division was asked to participate in the cost for rehabilitating Morena Boulevard. This will provide an overall cost savings to the City by utilizing an existing contract to correct the above-mentioned roadway deficiencies. The Street Division will pay \$80,000 of this contract change order. Aud. Cert. 9400575.WU-U-94-057.

FILE LOCATION: CONT-Chilcote, Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200:

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SUBJECT: Exempt Council Representative I from the Classified Service.

(See memorandums from Councilmember McCarty dated 10/12/93 and from the Personnel Director dated 10/29/93.)

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Hold the first public hearing for the following ordinance:

(O-94-44) HEARING HELD

First public hearing in the matter of: Amending Ordinance O-17807 (NS), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1993-94 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17807, as amended and adopted therein, by amending the personnel authorization of Council District 7 (027) by exempting one (1.00) Council Representative I position from the Classified Service, and establishing a salary rate.

NOTE: See Item 330 on the docket of Tuesday, January 4, 1994, for the introduction and adoption of the ordinance.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO APPROVE HEARING. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas. District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-922) ADOPTED AS RESOLUTION R-283207

Declaring a continued State of Emergency regarding the
discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The declaration of emergency enacted on September 7, 1993 and continued on September 27, 1993, and again on October 4, 11, 25, 1993, and again on November 15 and 29, 1993 will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every 14 days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7, 1993 and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Inviting bids for the North City Water Reclamation
Plant Yard Piping and Electrical Distribution Systems.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-640) ADOPTED AS RESOLUTION R-283208

Inviting bids for the North City Water Reclamation Plant Yard Piping and Electrical Distribution Systems on Work Order No. 194573; Authorizing the execution of a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for such expenditure are, or will be, on deposit in the City Treasury; Authorizing the expenditure of an amount not to exceed \$16,689,700 from the Clean Water Sewer Revenue Fund 41509, CIP-42-910.1, in the following manner: a) \$8,522,264 from FY 1994 appropriations; b) \$8,167,436 from FY 1996 appropriations contingent upon Council appropriating funds for this purpose in the FY 1996 CIP budget, provided that the funds necessary for each expenditure are, or will be, on deposit in the City Treasury. Funds are available due to reimbursement of past costs from issuance of bonds; Stating for the record that the previously certified Environmental Impact Report for the North City Water Reclamation Plant DEP-91-0516, was reviewed and considered by the Council.

(BID-K94101)

CITY MANAGER SUPPORTING INFORMATION:

Yard Piping and Electrical Distribution Systems is the seventh of several construction contracts for the North City Water Reclamation Plant (NCWRP). The contract packaging for the Yard Piping and Electrical Distribution Systems have been completed. Mitigation measures related to this action have been incorporated into each package. At this time approval to advertise for bid and award the contract for this package is requested. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. The construction cost for this package currently is estimated as follows: Yard Piping & Electrical Distribution Systems =

\$16,956,014 The Yard Piping and Electrical Distribution Systems construction contract will be phase-funded. The total number of local jobs created by this contract is approximately 334.

FILE LOCATION: W.O. 194573 CONT - C. E. Wylie Construction
Co. CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Two actions related to Construction of Pump Station No.
65 Expansion and Force Main.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-637) ADOPTED AS RESOLUTION R-283209

Inviting bids for the Construction of Pump Station No. 65 Expansion and Force Main on Work Order No. 170511; Authorizing a contract with the lowest responsible bidder, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for expenditure are, or will be, on deposit in the City Treasury; Authorizing the expenditure of funds not to exceed \$16,251,518 from Sewer Revenue Fund 41506, CIP-46-117.0, Pump Station No. 65 Expansion and Force Main: 1) \$2,656,000 from FY 1994 appropriations contingent upon Council appropriating funds for this purpose in FY 1994 CIP; 2) \$11,848,000 from FY 1995 appropriations contingent upon Council appropriating funds for this purpose in FY 1995 CIP; 3) \$1,747,518 from FY 1996 appropriations contingent upon Council appropriating funds for this purpose in FY 1996 CIP, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for each expenditure are, or will be, on deposit in the City Treasury; Stating for the record that the City of San Diego, as Lead Agency under CEQA, has reviewed and considered the final Environmental Impact

Report and Addendums. (BID-K94030)

Subitem-B: (R-94-644) ADOPTED AS RESOLUTION R-283210

Authorizing the use of City Forces to make connections and perform operational checks involving Construction of Pump Station No. 65 Expansion and Force Main; declaring that the cost of the work shall not exceed \$265,884 for additional minor construction services related to this project, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for each expenditure are, or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The subject project is under a Regional Quality Control Board and U.S. Environmental Protection Agency Consent Decree order. This order requires that the improvements be in place by December 1994. The project consists of replacing and expanding the existing pump station and force main located in the Los Penasquitos Lagoon area. New facilities will be located at the fringe of the lagoon and in Sorrento Valley Road. The contract packaging for the Pump Station No. 65 Expansion and Force Main has been completed. The total number of local jobs created by this contract will be 50. The construction cost for the Pump Station No. 65 Expansion and Force Main is currently estimated at \$16,251,518.

WU-CWP-94-066.

FILE LOCATION: W.O. 170511 CONT - Mingus Constructors Inc.
CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Inviting bids for the Construction of the North City
Water Reclamation Plant Operations Building.

(University Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-641) ADOPTED AS RESOLUTION R-283211

Inviting bids for the Construction of the North City Water Reclamation Plant Operations Building on Work Order No. 194577; Authorizing a contract with the lowest responsible bidder; Authorizing the expenditure of \$6,243,851 from the Clean Water Sewer Revenue Fund 41509, CIP-42-910.1: a) \$1,000,000 from FY 1994 appropriations; b) \$5,243,851 from FY 1995 appropriations contingent upon Council appropriating funds for this purpose in the FY 1995 CIP budget, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for each expenditure are, or will be, on deposit in the City Treasury. Funds are available due to reimbursement of past costs from issuance of bonds; Stating for the record that the previously certified Environmental Impact Report for the North City Water Reclamation Plant, DEP-91-0516, was reviewed and considered by the Council.

(BID-K94102)

CITY MANAGER SUPPORTING INFORMATION:

The Operations Building is the eighth of several construction contracts for the North City Water Reclamation Plant (NCWRP). The contract packaging for the Operations Building has been completed. Mitigation measures related to this action have been incorporated into each package. At this time approval to advertise for bids and award the contract for this package is requested. The Environmental Impact Report and the adoption of the Mitigation Monitoring and Reporting Program was approved by Council Resolution R-281435, dated February 2, 1993. In accordance with Federal Grant provisions for this project, the "Fair Share" goals are 8 percent combined MBE and/or WBE participation. The construction cost for this package currently is estimated at \$6,243,851. The Operations Building construction contract will be phase-funded. The total number of local jobs created by this contract is approximately 125.

FILE LOCATION: W.O. 194577 CONT - Taylor Ball of
California Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.

Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-205:

SUBJECT: Two actions related to Construction of the Carmel
Valley Trunk Sewer Replacement and Sorrento Valley Road
Pipeline Relocation.

(Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-638) ADOPTED AS RESOLUTION R-283212

Inviting bids for the Construction of Carmel Valley Trunk
Sewer Replacement and Sorrento Valley Road Pipeline
Relocation on Work Order No. 170651;

Authorizing a contract with the lowest responsible bidder,
provided that the City Auditor first furnishes a certificate
demonstrating that the funds necessary for such expenditures
are, or will be, on deposit in the City Treasury;

Authorizing the expenditure of funds not to exceed
\$4,712,811 from Sewer Revenue Fund 41506, CIP-46-122.0,
Carmel Valley Trunk Sewer Replacement, and in the amount not
to exceed \$3,951,376 from Water Revenue Fund 41500,
CIP-70-910.1, Sorrento Valley Road Pipeline Relocation: 1)
\$638,706 from FY 1994 CIP-46-122.0 appropriations contingent
upon Council appropriating funds for this purpose in FY 1994
CIP; 2) \$234,000 from FY 1994 CIP-70-910.1 appropriations
contingent upon Council appropriating funds for this purpose
in FY 1994 CIP; 3) \$3,621,426 from FY 1995 CIP-46-122.0
appropriations contingent upon Council appropriating funds
for this purpose in FY 1995 CIP; 4) \$3,133,901 from FY 1995
CIP-70-910.1 appropriations contingent upon Council
appropriating funds for this purpose in FY 1995 CIP; 5)
\$452,679 from FY 1996 CIP-46-122.0 appropriations contingent
upon Council appropriating funds for this purpose in FY 1996
CIP;) \$583,475 from FY 1996 CIP-70-910.1 appropriations
contingent upon Council appropriating funds for this purpose
in FY 1996 CIP; for providing funds for the project and
related costs, provided that the City Auditor first

furnishes a certificate demonstrating that the funds necessary for each expenditure are, or will be, on deposit in the City Treasury;

Stating for the record that the City of San Diego, as Lead Agency under CEQA, has reviewed and considered the final Environmental Impact Report and Addendums. (BID-K94031)

Subitem-B: (R-94-643) ADOPTED AS RESOLUTION R-283213

Authorizing the use of City Forces to make connections and perform operational checks involving Construction of Carmel Valley Trunk Sewer Replacement and Sorrento Valley Road Pipeline Relocation; declaring that the cost of the work shall not exceed \$143,167 for additional minor construction services related to this project, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for each expenditure, are or will be, on deposit in the City Treasury.

CITY MANAGER SUPPORTING INFORMATION:

The subject project is under a Regional Quality Control Board and U.S. Environmental Protection Agency Consent Decree order. This order requires that the improvements be in place by December 1994. The project consists of constructing a trunk sewer and a water line along the fringe of Los Penasquitos Lagoon and Sorrento Valley Road and abandoning the existing pipelines within the Los Penasquitos Lagoon. The contract packaging for the Carmel Valley Trunk Sewer Replacement and Sorrento Valley Road Pipeline Relocation has been completed. The total number of local jobs created by this contract will be 50. The construction cost for the Carmel Valley Trunk Sewer Replacement and Sorrento Valley Road Pipeline Relocation is currently estimated at \$8,664,187.

WU-CWP-94-065.

FILE LOCATION: W.O. 170651 CONT - PCL Civil Constructors
Inc. CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Blue Cross of California Group Health Agreement.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-921) ADOPTED AS RESOLUTION R-283214

Authorizing the execution of an agreement with Blue Cross of California, to provide group health insurance, for a one-year period beginning August 1, 1993 through July 31, 1994, and to authorize a premium rate as follows:

	Employee Only (City Paid)	One Dependent (Employee Paid)	Two + Dependents (Employee Paid)
Blue Cross			
California Care	\$129.00	\$143.17	\$262.67
Plus	\$158.33	\$172.92	\$310.92
Prudent Buyer			
\$1,000 Deduct.	\$118.42	\$137.25	\$274.42
Prudent Buyer			
\$2,500 Deduct.	\$ 98.92	\$114.67	\$229.17
Working Spouse	\$ 22.75	N/A	N/A

CITY MANAGER SUPPORTING INFORMATION:

For FY 1994, the CITYMED Health Plan has been redesigned in order to continue to offer employees freedom of choice of doctors; offer comprehensive coverage; and continue to provide City employees with lowcost health insurance. An RFP for redesign of the CITYMED plan was sent out for bid which required the proposer to have the ability to provide and administer new plan designs such as: A Point of Service Plan, inclusion of an HMO, a working spouse plan and continuation of the two existing catastrophic plans (those which have a \$1,000 or \$2,500 deductible); to have an effective managed care network in the San Diego area with alternate solutions for dependents or retirees outside the San Diego area; and the ability to provide coverage and administration with a self-funded plan. Several firms were eliminated after the initial review because they could not meet the requirements. Blue Cross was selected because of their ability to implement the variety of plans under the redesign; the existing network of their HMO and preferred providers; and the overall monetary savings to the employee. The inclusion of Blue Cross, as a part of the employee benefit package, was approved by all of the labor organizations and the City Council during the most recent meet and confer process. Aud. Cert. 9400583.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207:

SUBJECT: Amended Group Health Insurance Agreement with Kaiser
Foundation Health Plan, Inc.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-523) ADOPTED AS RESOLUTION R-283215

Authorizing an Amended Group Health Insurance Agreement with
Kaiser Foundation Health Plan, Inc. to extend the agreement
for a one-year period beginning August 1, 1993 through July
31, 1994, and to authorize a premium rate increase as
follows:

	Per Month	
Monthly Premiums	From	To
Employee Only (City Paid)	\$132.44	\$140.02
One Dependent (Employee Paid)	\$132.44	\$140.02
Two or More dependents (Employee Paid)	\$263.26	\$278.38

CITY MANAGER SUPPORTING INFORMATION:

The Kaiser Health Plan with the added prescription coverage was
offered to all employees and retirees in 1990. Although the
overall health care inflation has increased by 9.7 percent, (per
Health Cost Index Report, April 1992), the premiums for the
contract year, August 1, 1993 through July 31, 1994, have
increased by 5.7 percent. The rates indicating the amounts paid
by the employee and the City are as follows:

	Per Month		
	From	To	% Increase
Employee Only (City Paid)	\$132.44	\$140.02	5.7%
One Dependent (Employee Paid)	\$132.44	\$140.02	5.7%
Two or More dependents (Employee Paid)	\$263.26	\$278.38	5.7%

Aud. Cert. 9400303.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B072-120.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208:

SUBJECT: House of Charm Tenancy and matters related to the
Municipal Gymnasium.

(See City Manager Reports CMR-93-358 and MR-93-348.
Balboa Park Community Area. District-3.)

(Continued from the meeting of November 30, 1993, Item
341, at Councilmember Vargas' request, for full
Council.)

Adoption of the following resolution:

(R-94-881) ADOPTED AS RESOLUTION R-283216

Directing the City Manager and the City Attorney to return
to Council with any necessary documents to finalize the
decision on the tenancy of the House of Charm in Balboa
Park, and the matters related to the Municipal Gymnasium.
City Manager's Recommendation:(1a) Continue to designate
the Hall of Champions as the sole tenant of the Federal
Building. (1b) Commit to identifying permanent space for
the USA National Volleyball Teams and the other current
Federal Building users and direct the Manager to locate
suitable interim locations and report back in 60 days to the
Council with the impact.(2) Designate a primary tenant for
the House of Charm that will fit within the existing
designed space.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B240-E163.)

MOTION BY ROBERTS TO PROCEED WITH THE CITY MANAGER'S RECOMMENDATION WITH MODIFICATIONS. CITY MANAGER IS DIRECTED TO FIND OUT WHAT DATE THE HALL OF CHAMPIONS IS GOING TO BE READY TO START CONSTRUCTION ON THE FEDERAL BUILDING. IDENTIFY PERMANENT SPACE FOR THE NATIONAL VOLLEYBALL TEAMS AND OTHER CURRENT FEDERAL BUILDING USERS. MAKE A COMMITMENT TO BUILD A MUNICIPAL GYM OR FIND SUITABLE FACILITIES THAT MAY BE AVAILABLE. AS THE CHILDRENS' MUSEUM FINDS ANOTHER LOCATION, THE MINGEI AND THE ARTS INSTITUTE WILL BE THE DESIGNATED TENANTS ALONG WITH THE OTHERS ALREADY DESIGNATED AS TENANTS FOR THE HOUSE OF CHARM. THE CITY MANAGER IS INSTRUCTED TO WORK WITH MINGEI AND THE ARTS INSTITUTE TO RESOLVE THE ISSUES OVER THE GROUND FLOOR SPACE AND THE LAYOUT OF THE BUILDING. RECONFIRM THE PLAN OF THE PHOTOGRAPHIC ARTS MUSEUM EXPANDING INTO THE VACATED HALL OF CHAMPIONS SPACE. THE CITY MANAGER IS REQUESTED TO WORK WITH EACH OF THESE GROUPS, THE MINGEI, THE ARTS INSTITUTE, THE HALL OF CHAMPIONS, AND THE PHOTOGRAPHIC ARTS MUSEUM, TO MAKE SURE THAT THEY HAVE THE RESOURCES TO DO THE INTERIOR OF THESE BUILDINGS. THE CITY MANAGER IS DIRECTED TO RETURN TO COUNCIL IN 60 DAYS WITH AN INTERIM PLAN AND RECOMMENDATIONS FOR PERMANENT SITING FOR ALL OF THE TENANTS AFFECTED IN EACH OF THESE BUILDINGS. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

NON-DOCKET ITEMS:

ITEM-ND-1: (R-94-1004) ADOPTED AS RESOLUTION R-283217

Declaration of a local emergency at the intersection of Kostner Drive and Marcwade Drive.

FILE LOCATION: MEET
COUNCIL ACTION: (Tape location: B027-067.)

MOTION BY STEVENS TO ACCEPT THE ITEM FOR CONSIDERATION. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

MOTION BY VARGAS TO AUTHORIZE THE AWARD OF LOW BID. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 5:10 p.m. in honor of the memories of the following: Susan Haywood and Jessie W. Polinsky, as requested by Mayor Golding; Virginia Lee Wallace, as requested by City Attorney John W. Witt; Brad Morris and son Cory, as requested by Council Member McCarty; and Juan Manuel Hernandez, as requested by Council Members McCarty and Vargas.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: E188-268).